8900122

# HEIR COMMERCIANTES OF ANTERIOA

# Agristo Biosciences Inc.

CALLCRAS, THERE HAS BEEN PRESENTED TO THE

# Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF eighteen years from the date of this grant, subject to the payment of the required fees and periodic replenishment of viable basic seed of the variety in a public repository as provided by LAW, the right to exclude others from selling the variety, or offering it for sale, or reproducing it, importing it, or exporting it, or using it in producing a hybrid or different ty therefrom, to the extent provided by the Plant Variety Protection Act.

JNITED STATES SEED OF THIS VARIETY (1) SHALL BE SOLD BY VARIETY NAME ONLY AS OF CERTIFIED SEED AND (2) SHALL CONFORM TO THE NUMBER OF GENERATIONS THE OWNER OF THE RIGHTS. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

WHEAT

'Sierra'

In Testimony Watereot, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C.

this 31st day of March in the year of our Lord one thousand nine hundred and ninety-three.

Xttest:

Kernett Hevans

Commissioner

Plant Variety Protection Office Agricultural Marketing Service

Secretary of Agriculture

U.S. DEPARTMENT	FORM APPROVED: OMB NO. 0581-0055							
AGRICULTURAL MA	Application is required in order to determine							
ADDI (OATION SOR DI ANTIONES	if a plant variety protection certificate is to							
APPLICATION FOR PLANT VARI	be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued							
(Instruction	s on reverse)		4.	S.C. 2426).				
1. NAME OF APPLICANT(S)		2. TEMPORARY DESIGNATION	3. V	ARIETY NAME				
Agripro Biosciences Inc.		W84-229		SIERRA				
4. ADDRESS (Street and No. or R.F.D. No., City, State	ny	GM OI Jun 1998	<del> </del>	FOR OFFICIAL USE ONLY				
	e, and Zip Code	) 5. PHONE (maigue area code)	PVPC	NUMBER				
6700 Antioch		913-384-4940 (KS)	, v. c	NOMBEN				
Shawnee Mission, Kansas 662	204	303-532-3721 (CO)	1	8900122				
6. GENUS AND SPECIES NAME	7	<u> </u>	┼	DATE.				
	7. FAMILY NA	AME (Botanical)	g	Mrs. 20 1989				
Triticum aestivum	Gna	amineae	FILING	Mar. 20, 1989				
TT TOTCOM. CCS CT VOM	ui e	imineae	Ξ	TIME A.M. TP.M.				
8. KIND NAME	· · · · · · · · · · · · · · · · · · ·		<u> </u>	AMOUNT FOR FILING				
6. KIND NAME	. 9	DATE OF DETERMINATION		10a bo				
Hand Dad Etantinii Ethion		1) 1984 July 1986	RECEIVED	\$ 1000				
Hard Red Winter Wheat		2× 1927 AMA IFEB 1943	≥	DATE				
		per letter	] ;;	Mar, 20,1907				
<ol> <li>IF THE APPLICANT NAMED IS NOT A "PERSOI partnership, association, etc.)</li> </ol>	V," GIVE FORM	OF ORGANIZATION (Corporation,	<u> </u>	AMOUNT FOR CERTIFICATE				
, a series of the series of th			FEES	\$ 200.00				
Corporation			E,	DATE				
		. ` `		March 10, 1993				
11. IF INCORPORATED, GIVE STATE OF INCORPO	RATION	•	1	ATE OF INCORPORATION				
			l Fe	bruary 8, 1989				
13. NAME AND ADDRESS OF APPLICANT REPRES	ENTATIVE(S),	IF ANY, TO SERVE IN THIS APPLIC		~				
	1arK J.M lybri Tech		•	uns or R. Bruns				
10.00	,	* ·	.0.	Box 30 /				
0.1000019 100 00204		th Meridian B. 67204 PHONE (Include de	erth	ou <b>d, CO</b> 80513 /				
	Jichita K		a code	303-532-3721				
14. CHECK APPROPRIATE BOX FOR EACH ATTAC  a. X Exhibit A. Origin and Breeding Historylof			5	7.707				
.,		e Section 52/of the Plant Variety Pro	tection	Act.)				
b. 🗵 Exhibit B, Novelty Statement. Cgm	01 Jun 1991	8- Fax: 316 79	ナル	accompage Man conta Cam				
c. Z Exhibit C, Objective Description of Variety		n from Plant Variety Protection Offic	e.)'	essime Hours lows action, Com				
d. 🗵 Exhibit D, Additional Description of Varie	•	<b>-</b>	_					
e. X Exhibit E, Statement of the Basis of Application	ant's Ownershi	p. Exhibit F. Qualit	y &	Agronomic Data				
15. DOES THE APPLICANT(S) SPECIFY THAT SEED SEED? (See Section 83(a) of the Plant Variety Pro-	OF THIS VAR	_						
,		X Yes (If "Yes," answer i						
16. DOES THE APPLICANT(S) SPECIFY THAT THIS LIMITED AS TO NUMBER OF GENERATIONS?	VARIETY BE	17. IF "YES" TO ITEM 16, W BEYOND BREEDER SEE	HICH D?	CLASSES OF PRODUCTION				
X Yes No		X Foundation	Y Re	egistered X Certified				
18. DID THE APPLICANT(S) PREVIOUSLY FILE F	OR PROTECT	, —		- д				
		•		Yes (If "Yes," give date)				
				X No				
19. HAS THE VARIETY BEEN RELEASED, OFFER	ED FOR SALE	OR MARKETED IN THE U.S. OR	OTHE	R COUNTRIES ?				
· ·	•			Yes (If "Yes," give names of countries and dates)				
				of countries and dates)				
				No No				
20. The applicant(s) declare(s) that a viable sampl	e of basic seed	ls of this variety will be furnished	with					
plenished upon request in accordance with suc	h regulations	as may be applicable.		r r				
			ietv a	nd believe(s) that the variety is				
distinct, uniform, and stable as required in Sec	The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant							
Variety Protection Act.	ž							
Applicant(s) is (are) informed that false repres	entation herei	in can jeopardize protection and 1	esult i	n penalties.				
SIGNATURE OF APPLICANT				ATE				
Ple Heiner				3-14-89				
_ KC				0-17-01				
SIGNATURE OF APPLICANT			D,	ATE				
			-	I				

APPROVAL EXPIRES 4-30-85

#### EXHIBIT A.

### ORIGIN AND BREEDING HISTORY OF SIERRA

Sierra originated from the cross W79-227/Payne made in 1981. Sierra was observed regionally as an F4 plant row in 1983. Sierra was tested in preliminary yield trials in 1984 and designated experimental number W84-229. Sierra has been tested in AgriPro replicated trials representing a fairly broad area of the Hard Red Winter Wheat region from 1985 thru 1987. Sierra was entered in selected official 1989 university trials and the Southern Regional Preformance Nursery in 1990.

In 1986, 96 head-rows were grown in Berthoud, Colorado. Eighty of these initial head-rows were selected for uniform morphological characteristics, including height and maturity, to form a two acre increase in 1987, which produced 7,000 pounds of breeder seed. In 1988, 92 acres of Foundation seed was produced in Colorado. In the fall of 1989 registered production was grown throughout the Hard Red Winter Wheat region.

Sierra has been uniform and stable for the past three generations. Less than 0.5% of the plants were rogued from the foundation field in 1988. The majority of the rogued variant plants consisted of approximately 90% taller (three to ten centimeters) wheat plants. Up to 1% total variant plants may be encountered in subsequent generations.

### EXHIBIT B.

### NOVELTY STATEMENT

Sierra is most similar to the hard red winter wheat Thunderbird. However, it can be easily distinguished by the following morphological characteristics:

- Sierra has a long acuminate beak. Thunderbird has an acute beak type.
- Sierra is significantly shorter in plant height than Thunderbird (see Exhibit F. page 3, Rankings for Height, Maturity and Straw Strength).

U.S. DEPARTMENT OF AGRICULTURE AGRICULTURAL MARKETING SERVICE LIVESTOCK, MEAT, GRAIN & SEED DIVISION BELTSVILLE, MARYLAND 20705

EXHIBIT C

# OBJECTIVE DESCRIPTION OF VARIETY

AME OF APPLICANTIS	TINGE STEA
Agripro Biosciences Inc.	FOR OFFICIAL USE ONLY
ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code)	8900122
6700 Antioch Shawnee Mission, Kansas 66204	VARIETY NAME OR TEMPORARY DESIGNATION
Place the appropriate number that describes the varietal characte Place a zero in first box (**8, 0 8 9 or 0 9 ) when number	r of this variety in the boxes below. is either 99 or less or 9 or less.
I. KIND:  1   1 = COMMON   2 = DURUM   3 = EMMER   4 = SPELT   5	= POLISH 6 = POULARD 7 = CLUB
2. TYPE:  2 1 = SPRING 2 = WINTER 3 = OTHER (Specify)	1 = SOFT 3 = OTHER (Specify) 2 = HARD
2 1 = WHITE 2 = RED 3 = OTHER (Specify)	
3. SEASON - NUMBER OF DAYS FROM Planting  2 3 1 FIRST FLOWERING	2 3 7 LAST FLOWERING
4. MATURITY (50% Flowering):	
0 2 NO. OF DAYS EARLIER THAN	. 2 1 = ARTHUR 2 = SCOUT 3 = CHRIS
NO. OF DAYS LATER THAN	4 = LEMHI 5 = NUGAINES 6 = LEEDS
5. PLANT HEIGHT (From soil level to top of head):	
0 8 6 CM. HIGH	
CM. TALLER THAN	1 = ARTHUR 2 = SCOUT 3 = CHRIS
1 0 CM. SHORTER THAN	. 7 4 = LEMHI 5 = NUGAINES 6 = LEEDS 7) Thunderbir
S. PLANT COLOR AT BOOTING (See reverse):	7. ANTHER COLOR:
2 I = YELLOW GREEN 2 = GREEN 3 = BLUE GREEN	1 1 = YELLOW 2 = PURPLE
8. STEM:  1 Anthocyanin: 1 = ABSENT 2 = PRESENT	2 Waxy bloom: 1 = ABSENT 2 = PRESENT
2 Hairiness of last internode of rachis: 1 = ABSENT 2 = PRESENT	1 Internodes: 1 = HOLLOW 2 = SOLID
0 5 NO. OF NODES (Originating from node above ground)	2 4 CM. INTERNODE LENGTH BETWEEN FLAG LEAF AND LEAF BELOW
9. AURICLES:	
2 Anthocyanin: 1 = ABSENT 2 = PRESENT	2 Hairiness: 1 = ABSENT 2 = PRESENT
G. LEAF:	
Flag leaf at 1 = ERECT 2 = RECURVED booting stage: 3 = OTHER (Specify):	2 Flag leaf: 1 = NOT TWISTED 2 = TWISTED
Hairs of first leaf sheath: 1 = ABSENT 2 = PRESENT	2 Waxy bloom of flag leaf sheath: 1 = ABSENT 2 = PRESENT
1 3 MM. LEAF WIDTH (First load below flag load)	2 0 CM. LEAF LENGTH (First leaf below flag leaf):
CODIA 1 000 470 5 (7.94) (Edising of 2.70 may be used)	

'Sierra'			8900122
FORM GR-470-6 (REVERSE)			
	2 = DENSE 3=middense	Shape: 1 = TAPERIN	
4 Awnedness: I'= Awn	LESS 2 = APICALLY AWNLETED 3	= AWNLETED ' 4 = AWNED	
Color at maturity: 5 =	WHITE 2 = YELLOW 3 = PINK 4 = BROWN 6 = BLACK 7 = OTHER	RED R (Specify):	
6.8 CM. LENGTH		1 0 MM. WIOTH	
12. GLUMES AT MATURIT  1-2 Length: 1 = SHORT (C)  3 = LONG (C)	CA. 7 mm.) 2 = MEDIUM (CA. 8 mm.)	2 Tidth:   = NARROW   3 = WIDE (CA	
3-4 Shoulder 1 = WANTIN	· · · · · · · · · · · · · · · · · · ·	Beak: 1 = OBTUSE	2 = ACUTE 3 = ACUMINATE
13. COLEOPTILE COLOR:		14. SEEDLING ANTHOCYA	MIN:
1 1 = WHITE 2 = RE	D 3 = PURPLE	2 1 = ABSENT 2	PRESENT
15. JUYENILE PLANT GRO	WTH HABIT:		
2 1 = PROSTRATE	2 = SEMI-ERECT 3 = EREC	т	
16. SEED:  Ovate to  1-3 Shape: I = OVATE	elliptical 2 = oval 3 = ELLIPTICAL	1 Cheek: 1 = ROUNDE	D 2 = ANGULAR
2 Brush: I = SHORT	2=midlong 3 = LONG	1 Brush: 1 = NOT CO	LLARED 2 = COLLARED
Phenol reaction (See instructions):	1 = IVORY - 2 = FAWN 3 = LT. BROWN 4 = BROWN 5 = BLACK	1	
3 Color: 1 = WHITE	2 = AMBER 3 = RED 4 = PURPLE	5 = OTHER (Specify)	1111
6. 2 MM. LENGTH	3. 4 MM. WIDTH	3   8 GM. PER 1000 9	SEEDS
17. SEED CREASE:			
1 1	ESS OF KERNEL 'WINOKA'	111	LESS OF KERNEL 'SCOUT'
=	SS OF KERNEL 'CHRIS'		LESS OF KERNEL 'CHRIS' LESS OF KERNEL 'LEMHI'
	S WIDE AS KERNEL 'LEMHI'		· · · · · · · · · · · · · · · · · · ·
4 (Races) field	d, 1 = Susceptible, 2 = Resistant) 3=MO  LEAF RUST field (Races) field	O (Races)	le 4=Moderately Resistant
3 POWDERY MILDEW	0 винт	0 OTHER (Specify)	
19. INSECT: (0 = Nor Tester	i, 1 = Susceptible, 2 = Resistant) 3=MO	derately Suscentib	le 4=Moderately Resistant
0 SAWFLY	0 APHID (Bydv.)	O GREEN BUG	O CEREAL LEAF BEETLE
O OTHER (Specify)	HESSIAN FLY RACES:	4 GP 0 A	0 s 0 c
		0° 0°	
	TY MOST CLOSELY RESEMBLES THAT S	,	NAME OF VARIETY
CHARACTER Plant tillering	NAME OF VARIETY Thunderbird	GHARACTER Seed size	NAME OF VARIETY Thundarhind
Leaf size	Thunderbird	Seed shape	Thunderbird Thunderbird
Leaf color	Thunderbird	Caleaptile elangation	Thunderbird
Leaf carriage	Thunderbird	Seed ing pigmentation	Thunderbird
GENERAL: The following on	INSTRUC		and proceedings for completion this form 5

- (a) L.V. Briggle and L. P. Reitz. 1963. Classification of Triticum Species and Theat Varieties Grown in the United States. Technical Builetin 1278, United States Department of Agriculture.
- (b) W.E. Walls, 1965, A Standardized Phenol Method for Testing Wheat Seeds for Varietal Purity, contribution No. 28 to the handbook of seed testing prepared by the Association of Official Seed Analysts. (See attachment.)

#### EXHIBIT D.

# ADDITIONAL BOTANICAL DESCRIPTION FOR SIERRA

Sierra is a hard red winter wheat bred and developed by Agripro Biosciences Inc. Sierra is an intermediate height semidwarf with medium maturity and excellent straw strength. Milling and baking properties are acceptable.

Juvenile plant growth habit is semi-erect to erect. Plant color is green at boot with an erect, twisted flag leaf. Auricle anthocyanin and hairs are present. Waxey bloom is present on the flag leaf sheath and stem. Head shape is tapering, middense, awned and white at maturity. Glumes are short to midlong in length and of medium width with rounded to square shoulders and long acuminate beaks. Seed shape is ovate to elliptical with rounded cheeks and midlong brush hairs.

Sierra is broadly adapted to a large portion of the HRWW region. It appears to be best adapted to Kansas, southern Nebraska, eastern Colorado, and the Oklahoma and Texas panhandle-irrigated areas.

### EXHIBIT E.

## STATEMENT OF THE BASIS OF APPLICANT'S OWNERSHIP

Agripro Biosciences Inc. is the applicant for protection in this case being:

- a) The incorporated business (registered in Delaware) for and within which regular employees have bred the named variety.
- b) The proprietory owner and intending commercial user of the variety.

# EXHIBIT F.

# QUALITY AND AGRONOMIC DATA

Quality o	iata .	• •	•	•	• .	. •	• .	•		•	• •	•	•	• •	•		page	1
Agronomi	data	•		•				•	•		• •				•	•	.page	2
Rankings	for He	eigh:	t,	Mai	tur	ity	an	đ	Str	aw	Sti	re	nat!	h .			.page	3

# AGRIPRO WHEAT HARD RED WINTER WHEAT

٠.				FLOU	IR/WHEA	T QUAL	TY	~~~		Bak	ING QUA	LITY		
	VARIETY OR LINE	LOC	WHI PROI	FLR PROT	HRD	ELR YLD	ASH	TOL	ABŞ	MIX TIME	LOAF VOL	GR	CRUMB TX	
			14Xab	14%mb		7.		R	7.	min	cc.	R	R	ĸ
88	SIERRA	SK	14.8		67	60.1	.484		62.0	2.50	1060	3.		3
88	Sierra		14.7	13.7	73	58.3	.415	- 6	63.0	2.50	900	5	5	4
88	SIERRA	NО	13.4	12.2	58	63.6	.450	. 8	64.0	2.50	1050	4	3	-3
88	SIERRA		13.8	12.1	58	62.7		7	63.0	2.50	1030	5	3	3
87 -	SIERRA	₩K	12.6			67.5	.420	6	64.0	2.50	1060	3		- 3
87	SIERRA	GI	13.5	11.6	62	66.6	.000	4	62.0	2.25	1200	6	_	
86	SIERRA	NO	13.7	12.2		66.4	.456	3	64.0	2.75	1000	3	2	2
86	SIERRA		12.2	10.8		68.3	.434	4		2.50	950	3,	1	2
86	SIERRA		11.9	10.1		68.3	.408	3	64.0	2.00	870	2	ì	2
35	SIERRA	TI	11.7	10.9		68.2	.000	4	65.0	1.75	840	4	2	2
85	SIERRA		12.8	11.3		68.3	-000	4	63.0	2.25	900	3	3	3
35	SIERRA		13.9	12.6		69.0	.000		65.0		890	. 3	2*	2
85	SIERRA	BB		11.2		69.1	.000		65.0	2.25.	880	2	1.	
34	SIERRA	SO	13.4	11.9		73.0	.000	3	64.0	2.75	1025	2	2	2
	average		13.2	11.8	63	66.2	.434	6	63.9	2.41	1050	3.4	2.4	2.6
	114111/											1		
88	HAWK		15.1	14.3	63	61.8	.508	2	62.0	5.00	1180	3	3	3
8	HAWK	SK	14.0	13.1	70	62.9	.439	3	61.0		910		4	3
18	HAWK		12.7	11.4	60	66.4	.436	-1	61.0		1040	- 3		3
8	HAWK	NO	13.1	12.0	61	64.3	.456	2	62.0		1050	. 3	2	2
7	HAUK		11.9	10.4	54	67.4	.442	5		3.50	890	3	3	3
7	HAWK	GI	14.3	13.2	62	65.3	.000	3		3.75	1030	4	3	3
6	HAWK		12.2	10.7	'	67.9	.505		62.0		940		3	2
6	HAWK			9.9		64.3	.443	.5		4.75	870	3	3	2
6	HAWK			9.8		70.4			64.0	3.50	840	3	3	2
5	HAWK	TI	10.1	9.0		65.6	.000	6.		3.00	790	5	_	4
5	HAWK	SK	12.8	12.1		69.4	.000	2	64.0	2.75	870	4	3	3
5	HAWK	GK	13.7	11.7		68.1	.409	5	61.0	5.00	890	2	3	2
5	HAWK	BB co	13.0	12.1	··-	70.4	.430	2	65.0	3.00	890	2	2	2
4	HAWK	SO	13.0	11.9		73.0	.000	4	60.0	5.00	1000	3	3	2
	AVERAGE		12.3	11.4	62	67.0	.451	3	62.2	4.12	942	3.1	3.0	2.6

### AGRIPRO SEEDS HARD RED WINTER WHEAT TRIAL SUMMARY OVER LOCATIONS-OVER YEARS

YEARS: 85, 87, 88 VARIETIES: SIERRA vs. TAM 105

	LOCS	YIELD I	<u>Bu/Ac</u>	LOCS	T.WT.	lb/Bu	
STATES CO KS NE OK TX	4 12 2 2 2 5	SIERRA TA 110.0 47.4 63.5 58.2 65.4	107.4 42.9 58.9 48.6 63.3	4 12 2 2 5	SIERRA 60.3 56.7 57.2 58.9 58.5	TAM 105 59.6 54.8 56.3 58.2 57.2	
ALL	25	63.2	59.0	25	57.9	56.4	

YEARS: 86, 87, 88 VARIETIES: SIERRA vs. ARKAN

	LOCS	YIELD B	u/Ac	LOCS	T.WT.	lb/Bu
STATES:	A	SIERRA	ARKAN		SIERRA	ARKAN
KS	4 11	103.2 59.1	94.6 56.3	11	60.8 58.2	50.9 57.4
MO NE	1 5	51.0 71.9	60.8 69.3	0 5	0.0 56.3	0.0 57.1
OK TX	4	47.8	46.8	4	57.6	57.2
1 <b>X</b>	2	66.8	62.6	2	56.6	55.6
ALL	27	66.6	63.6	26	58.0	56.2

This data represents all data available in HRWW region from public and private trials, dating back to 1985. These trials include irrigation, continuous, and summer fallow.

# RELATIVE RANKINGS OF SIERRA AND FOUR OTHER HRWW VARIETIES HEIGHT, MATURITY AND STRAW STRENGTH - 1988 SUMMARY

VARIETY	HEIGHT	MATURITY	STRAW STRENGTH
Sierra	3	5	2
Thunderbird	5	5	3
Siouxland	6	5	6
Arkan	4	3	<b>5</b>
Mesa	2	2	2

These rankings are based upon a scale of 1 thru 9, where 1 is very short or very early or very stiff-strawed, and 9 is very tall, very late and very weak strawed.